3 and 4, as described in the final paragraph of page 5 of the original application. Lead lines and reference figures corresponding to those shown in FIGS. 1 and 2 have been added to FIGS. 3 and 4, corresponding also to the discussion regarding those figures in the specification at page 5, line 11 through the end of page 7. Layers 2, 3, 4, and 6 correspond clearly to the same layers in the other figures. As shown in FIG. 2, ink 7 lies between layers 3 and 4, except where those layers are secured together around their periphery (see page 5, lines 17-20). FIG. 3 shows marking element 1 after marking 9 has been inductively heated to puncture film 8 beneath the bulb of absorbent area 10 in layer 5, and the temperature of the products has been raised so that the ink 7 flows into the area 10, appearing both between layers 3 and 4 and between layers 4 and 6.

IN THE CLAIMS

Claims 1 through 16 were cancelled in a prior amendment. Please cancel claims 30-32, inclusive, and amend claim 29 to refer to its correct parent, claim 17, as follows:

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17. (Previously added) A marking element for indicating whether a pre-defined temperature condition has been maintained comprising a first material capable of flowing above a predetermined temperature separated from a second absorbent material by a heat disruptable barrier layer, the first and second materials being such that when the barrier layer is punctured and the predetermined temperature is exceeded the first material flows in the second material to produce a detectable change wherein the heat disruptable barrier layer is comprised of a heat disruptable material associated with an element capable of being inductively heated by electromagnetic energy to effect disruption of said material.

B3 Cont'd

18. (Previously added) A marking element as claimed in claim 17 comprising a lower layer which, together with the heat disruptable barrier layer, forms a reservoir for the first material, and an absorbent layer provided on the opposite side of the barrier layer to said reservoir.

19. (Previously added) A marking element as claimed in claim 17 wherein the absorbent layer is overlaid by a transparent film.

20. (Previously added) A marking element as claimed in claim 17 wherein the heat disruptable material is a film.

21. (Previously added) A marking element as claimed in claim 20 wherein the heat disruptable material is a plastics film.

B3 Cont'd

22. (Previously added) A marking element as claimed in claims 17 wherein the inductively heatable element is provided on the heat disruptable material.

23. (Previously added) A marking element as claimed in claim 17 wherein the inductively heatable element is provided by a conductive ink.

24. (Previously added) A marking element as claimed in claim 23 wherein the conductive ink is a metallic ink or a graphite loaded ink.

25. (Previously added) A marking element as claimed in claim 17 wherein the inductively heatable element is provided by metal, carbon or an electrically conductive plastics or polymeric material.

26. (Previously added) A marking element as claimed in claim 25 wherein the inductively heatable element is of metal in the form of a film, sheet or foil.

27. (Previously added) A marking element as claimed in claim 17 wherein the barrier layer is disruptable by radiofrequency energy.

28. (Previously added) A marking element as claimed in claim 17 which is disruptable by microwave energy.

B3 end

29. (Currently amended) A method of activating a marking element as claimed in claim ~~1~~ 17, the method comprising subjecting the marking element to electromagnetic energy capable of inductively heating said inductive heatable element to effect disruption of the barrier layer.

30. (Cancelled)

31. (Cancelled)

32. (Cancelled)